

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL CASE NO. 5:19-cv-00138-MR**

BRIAN A. REAVIS,

Plaintiff,

vs.

PAUL S. STEVENS,

Defendant.

)
)
)
)
)
)
)
)
)
)

ORDER

THIS MATTER is before the Court on periodic review of the docket.

The Complaint passed initial review on the *pro se* incarcerated Plaintiff's claim that Defendant Paul S. Stevens¹ interfered with the Plaintiff's mail. The North Carolina Department of Public Safety (NCDPS) was unable to waive service for Defendant Stevens, so the Court ordered the United States Marshals Service (USMS) to locate and serve Defendant Stevens [Doc. 19]. The record indicates that the summons was issued electronically on November 4, 2020, but no return of service has been filed to date.

In actions brought *in forma pauperis* under § 1915(d), "[t]he officers of the court shall issue and serve all process, and perform all duties in such

¹ "FNU Stevne" in the Complaint.

cases.” 28 U.S.C. § 1915(d); see Fed. R. Civ. P. 4(c)(3) (“At the plaintiff’s request, the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court. The court must so order if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915....”).

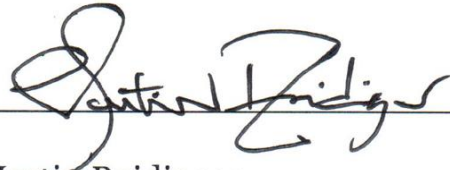
The USMS is instructed to inform the Court within 14 days of the status of its attempts to locate and serve Defendant Stevens.

IT IS THEREFORE ORDERED that the United States Marshals Service shall inform the Court within 14 days of this Order of the status of its efforts to locate and serve **Defendant Paul S. Stevens**.

The Clerk is instructed to provide a copy of this Order to the Plaintiff and the United States Marshals Service.

IT IS SO ORDERED.

Signed: February 22, 2021



Martin Reidinger
Chief United States District Judge

